IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

LA.App..No. 1755 of 2002(C)

LAR.512/1998 OF ADDL.SUB COURT,NORTH PARAVUR DATED 28/02/2001.
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APPELLANTRESPONDENT:

STATE OF KERALA.

BY GOVERNMENT PLEADER SRI. NOBLE MATHEW.

RESPONDENTS/CLAIMANTS:
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1. **DEVASSY PAPPACHAN, ANNAKKADAN HOUSE, KALADY.**
2. **MARY, W/O. PAPPACHAN OF DO. DO.**

BY

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 20/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B. KOSHY & V. GIRI, JJ.

C.M.P.No.6842 of 2002 in
L.A.A. No.1755 of 2002

Dated this the 20th day of August, 2007

Order

Koshy,J.

This is a petition to condone the delay of 401 days in filing the appeal. Total enhanced amount by the reference court was only Rs.33,084/-. No valid reasons are given for condoning the long delay. It is stated that the judgment was pronounced on 28.2.2001. Application for copy of the judgment and decree was filed on the very next day on 1.3.2001. Certified copy was ready on 31.5.2001 and the Government Pleader received the copy on 6.6.2001. It was forwarded to the District Collector only after more than one and a half months delay on 27.7.2001. Why that delay was caused is not explained. It is stated that file was put up before the District Collector only on 7.8.2001 and the District Collector ordered on 19.8.2001 to file an appeal. Thereafter, appeal was filed, after more than one year, on 10.10.2002 and reasons are not explained. How the long delay is caused by complying the procedural formalities

is also not mentioned. Since reasons for the delay are not explained to the satisfaction of the court, delay condonation petition is dismissed.

J.B.KOSHY
JUDGE

V.GIRI
JUDGE

vaa

J.B. KOSHY AND
V.GIRI,JJ.

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Dated:20th AUGUST, 2007